

Docket No.: 287325US0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: : EXAMINER: SEAMAN, D.M.D.
HISASHI TAKAHASHI, ET AL : GROUP ART UNIT: 1625
SERIAL NO.: 10/572,742 : U.S. PATENT NO.: 7,723,524
FILED: March 21, 2006 : ISSUED: May 25, 2010
FOR: 8-CYANOQUINOLONECARBOXYLIC ACID DERIVATIVE

LETTER TO PTO RE: PATENT TERM ADJUSTMENT

COMMISSIONER FOR PATENTS
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ALEXANDRIA, VA 22313-1450

SIR:

Consistent with Applicants' and the Undersigned's on-going duty of candor and good faith in practice before the Office, Applicants request that the Office review the accuracy of the patent term adjustment determination published on the face of US 7,723,524. The final determination by the Office indicates that the above-identified patent is entitled to 1007 days of patent term adjustment. It is believed that this indication may be in error and that the proper patent term adjustment should be 998 days. From the Office's records, it appears that the Office improperly deducted 1 day of patent term adjustment for the payment of the Issue Fee on March 22, 2010 (the official due date of March 21, 2010 was a Sunday). In addition, it appears that the Office failed to account for an 11-day overlap between the "A-delay" period and "B-delay" period on March 21, 2009 (3 years from the filing date of March 21, 2006) to April 1, 2009 (date that the first action on the merits was mailed).

In the event that the Office determines that a new, altered patent term adjustment is necessary Applicants request early notification of such action.

Respectfully submitted,
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